

DECLARATION

I, Matthew T. Greer, declare and state as follows:

I am a Special Agent with the United States Drug Enforcement Administration (DEA) and have been so employed since March of 2008. I have been assigned to the Raleigh District Office (DO) since May of 2017. I have received extensive training in the area of identifying violations of the Controlled Substance Act, Title 21, and other related offenses.

I have participated in the execution of federal and state search warrants resulting in the seizure of controlled substances, records associated with narcotics trafficking, United States currency (USC) and assets purchased with the proceeds of illicit controlled substances. I have worked with, and recruited numerous informants and interviewed defendants who have been involved in the orchestration of illegal drug trafficking activities. I have testified in proceedings in federal and state court. I have been the affiant on federal search warrant applications and also directed multiple Title III investigations.

The following facts detail the probable cause for the forfeiture of the following property:

- \$121,675.00 in U.S. Currency (USC) seized from Issam Ali AHMAD on April 29, 2022

Based on the investigation of the above-mentioned person, the following is known to be true:

I. BACKGROUND OF THE INVESTIGATION AND AHMAD's CRIMINAL HISTORY

This investigation of a criminal trafficking organization operating throughout the east coast of the United States was initiated in 2019, and has, thus far, resulted in seizures of USC in excess of \$1,100,000.00. Transportation cells of this organization utilize the interstate highway system to move controlled substances, contraband cigarettes, and bulk amounts of USC between North Carolina and the northeastern United States. Based on this investigation, Issam Ali AHMAD was identified as a courier for this organization.

In 1992, AHMAD was arrested pursuant to a federal fraud investigation. He pleaded guilty to Unauthorized Possession of Food Stamps and was sentenced to one (1) year of probation in United States District Court, Eastern District of North Carolina. In 2011, a search warrant was executed by the Raleigh (NC) Police Department at 620 W. South Street, the location of Convention Center Food Mart. AHMAD was present during the search and was observed behind the cash register. Located in the vicinity of the cash register and counter area were controlled substances and paraphernalia, including items such as beverage containers with concealed compartments containing bags of marijuana, rolling papers, and a digital scale. A bag of marijuana was also located on AHMAD's person. Additionally, a quantity of crack cocaine was located in a tin behind the cash register. AHMAD was charged with Possession with Intent to Sell or Deliver Cocaine, Possession with Intent to Sell or Deliver Marijuana, as well as a

felony charge of Maintaining a Dwelling Place for Drug Activity. AHMAD acknowledged his ownership of Convention Center Food Mart but denied distributing drugs at his place of business. AHMAD subsequently pleaded guilty to a misdemeanor charge of Possession of Drug Paraphernalia in Wake County (NC) District Court. In 2016, Maryland State Police (MSP) stopped a rental vehicle operated by AHMAD on Interstate 95. A probable cause search of the vehicle located 28,250 untaxed cigars and \$39,000 United States Currency (USC). AHMAD was arrested and charged with Transporting Tobacco Product Without Tobacco Tax Paid. In 2017, Maryland Transportation Authority Police arrested AHMAD after they discovered 1,200 cartons of untaxed cigarettes in AHMAD's vehicle. AHMAD subsequently pleaded guilty to Possession of Over Thirty (30) Cartons of Unstamped Cigarettes.

II. JULY 26, 2019 SEIZURE OF \$29,655.00 FROM ISSAM ALI AHMAD

AHMAD's registered Chevrolet Silverado was observed by surveillance units at the Imperio Food Mart, a Knightdale, NC convenience store owned by Yudelkys GUZMAN and Ruddy REYNOSO, and utilized to procure and store cartons of cigarettes destined for out of state markets.

In 1989, REYNOSO was arrested by the New York Police Department and charged with criminal sale of a controlled substance. He pleaded guilty to a felony charge of criminal possession of a controlled substance and was sentenced to five (5) years probation. In 2005, GUZMAN's residence in Connecticut was the location of a seizure of seven (7) kilograms of cocaine. Her then husband, Norman DE LA CRUZ was arrested and convicted of violating federal drug trafficking statutes, and sentenced to 120 months of custody in a federal correctional institution.

On May 30, 2019, REYNOSO was the subject of a seizure of \$18,450.00 USC conducted by the Virginia State Police (VSP). On June 30, 2019, Imperio Food Mart employee, Danny ADAMES, was the subject of a traffic stop conducted by the VSP. A search of ADAMES's rental vehicle located \$66,650.00 USC. The USC had been concealed in the frame of the passenger seat and in natural voids behind the vehicle's dashboard. The USC was later determined to have been covered in a grease-like substance, a common technique utilized by drug trafficking organizations as an attempt to prevent K-9 unit detection of the presence of the odor of controlled substances. Toll analysis determined that a mobile phone linked to AHMAD was in contact with members of this organization. Additionally, investigation confirmed that AHMAD was a frequent renter of vehicles, and had rented a vehicle for high-mileage, short duration trips. In fact, during the month of July 2019, investigators became aware that AHMAD had driven between North Carolina and the northeastern United States at least three times over a period of two weeks.

Investigators coordinated with VSP personnel in order to attempt to locate AHMAD as he traveled southbound on the interstate. On July 26, 2019, AHMAD was located by surveillance units and his rented vehicle was the subject of a stop by VSP Senior Trooper Jackson. Upon approaching the vehicle, Senior Trooper Jackson recognized AHMAD from a 2015 vehicle stop that resulted in the discovery of over \$60,000.00 USC.

AHMAD advised that he was returning from New Jersey where he had traveled the previous day, but no luggage or other items consistent with long-distance travel were present inside the vehicle. A K-9 alerted to the vehicle, and a search located a sum of currency secreted in the spare tire well. The currency was mixed denominations and an official counting later determined the total to be \$29,655.00. VSP officers noted that the vehicle's panels appeared to have recently been tampered and that the destination set in AHMAD's Global Positioning System was 8532 Knightdale Boulevard, Knightdale, NC; the address of Imperio Food Mart. AHMAD stated to VSP officers that he carried that much currency because he frequented casinos.

The USC was seized as suspected illicit proceeds. The USC was determined to be forfeitable to the United States government via Default Judgement in EDNC Case No. 5:19-CV-536. The same judgement determined that the USC seized from REYNOSO and ADAMES was also forfeitable to the United States government.

III. ARREST OF AHMAD BY MARYLAND STATE POLICE ON FEBRUARY 19, 2020

On February 19, 2020, Issam Ali AHMAD was arrested by the Maryland State Police (MSP) in Cecil County, MD pursuant to a traffic stop. At the time of the traffic stop, AHMAD was wearing a bright colored vest and other items commonly used by construction workers. Statements made by AHMAD indicated to MSP personnel that he did not actually work in the construction industry, and his possession of these items was a ruse designed to evade law enforcement detection of his criminal trafficking activity. A probable cause search of his registered Chevrolet Silverado located 840 of cartons of untaxed cigarettes. AHMAD was charged with Transport of Unstamped Cigarettes, a felony. On July 26, 2021 AHMAD pleaded guilty to said charge and was sentenced to a term of probation of 12 months.

IV. APRIL 09, 2020 SEIZURE OF \$19,357.00 FROM ISSAM ALI AHMAD

On April 09, 2020, AHMAD's registered Chevrolet Silverado was the subject of a vehicle stop by Halifax County (NC) Sheriff's Office (HCSO) deputies. Deputies recognized the vehicle's operator as AHMAD from a traffic stop conducted the previous day on a rental vehicle operated by AHMAD. The rental vehicle contained hundreds of cartons of cigarettes and was driving northbound toward the Virginia state line.

A probable cause search of the Chevrolet Silverado located \$19,357 USC located in a bag in the cab of the vehicle. AHMAD made statements to HCSO personnel that he has been transporting untaxed cigarettes to northeastern US markets for thirty-three (33) years; he has no other employment, and that he gets caught "all the time". It was noted by HCSO personnel that AHMAD's vehicle had multiple Red Cross decals affixed to the doors. AHMAD is not, and has never been, employed by the Red Cross and the use of their symbols in the midst of the COVID-19 pandemic was another of AHMAD's creative attempts to evade law enforcement detection of his criminal trafficking activities.

The USC was seized as suspected illicit proceeds. AHMAD filed an administrative petition for remission or mitigation of forfeiture, claiming under oath to be an innocent owner who obtained the USC from an insurance claim settlement. AHMAD failed to provide one single document to support his claim that the seized USC was a payment from an insurance company or from any other legitimate source. AHMAD did not provide any financial institution transactional history evidencing the deposit(s) and withdrawal(s) of USC from an account. For this, and the other previously stated reasons, the administrative petition was denied and the seized currency was forfeited.

V. MAY 13th, 2020 SEIZURE OF \$25,840.00 FROM ISSAM ALI AHMAD

On May 13, 2020, pursuant to observed violations of North Carolina vehicle and traffic law, Halifax County (NC) Sheriff's Office (HCSO) personnel conducted a vehicle stop of a rented Toyota Sienna minivan bearing North Carolina registration HFD 4623. Upon making contact with the vehicle's operator, and sole occupant, HCSO Deputy Michael Bishop recognized the driver from previous interactions to be Issam Ali AHMAD. Deputy Bishop asked AHMAD to exit the vehicle. AHMAD obliged. A K-9 unit was deployed on the vehicle and positively alerted to the odor of controlled substances. Deputy Bishop asked AHMAD if there was anything illegal in the vehicle. AHMAD responded in the negative. Deputy Bishop asked if there were any drugs in the vehicle. AHMAD again responded in the negative. Deputy Bishop asked AHMAD if there were any large sums of USC in the vehicle. AHMAD stated "No". Deputy Bishop asked AHMAD if any large sums of USC were to be found in the vehicle, to whom would it belong. AHMAD stated, "Of course, it belongs to me". A subsequent probable cause search of the vehicle located a black plastic bag containing bulk United States currency (USC) in the center console. Also located during this search was a hand-written receipt indicating transactions for bulk quantities of cigarettes.

The USC was seized as suspected illicit proceeds. Again, AHMAD filed an administrative petition for remission or mitigation of forfeiture. Again, the petition was denied and the seized currency was forfeited.

VI. APRIL 29th, 2022 SEIZURE OF \$121,675.00 FROM ISSAM ALI AHMAD

On the morning of April 28, 2022, investigators conducted surveillance of AHMAD's registered Toyota Tundra in Raleigh, NC and observed AHMAD travel to a business utilized by this organization to obtain trafficking quantities of cigarettes. Investigators observed AHMAD's vehicle at the back entrance to the facility and noted that the vehicle appeared to be in the process of being prepared to receive cargo. Continued surveillance and information sharing and coordination with other law enforcement agencies determined that AHMAD was likely traveling to the greater New York area. Knowing the quick turnaround of AHMAD's typical travels, and the circuitous route he was likely to take to avoid the jurisdictions where he previously had been stopped, on the evening of April 28, 2022, surveillance was established by investigators in various locations in the vicinity of the Virginia/North Carolina state line. At 02:00 AM on April 29, 2022, investigators observed AHMAD's Toyota Tundra bearing North Carolina registration TJM 2928 as it traveled on Route 220 in Martinsville, VA and then observed AHMAD's vehicle

as it traveled southbound into North Carolina and proceeded towards the greater Greensboro, NC area. The vehicle then headed eastbound from Greensboro. At 3:30 AM, in Mebane, NC, after observing violations of North Carolina Vehicle and Traffic law, Orange County (NC) Sheriff's Office (OCSO) deputies conducted a traffic stop of the Toyota Tundra. AHMAD was identified as the driver and sole occupant of the vehicle via his North Carolina driver's license. A K-9 unit was deployed on the vehicle and positively alerted to the presence of the odor of controlled substances. A search of the vehicle conducted by OCSO personnel noted toolmarks and aftermarket screws on the vehicle's tailgate. OCSO deputies removed the tailgate's outer paneling and located a bulk amount of USC secreted in a natural void in the tailgate. The USC was seized by OCSO deputies as suspected illicit proceeds, and custody of the USC was subsequently transferred to Agents of the Drug Enforcement Administration in the Raleigh District Office. A subsequent official count determined the sum to be \$121,675.00.

VII. CONCLUSION

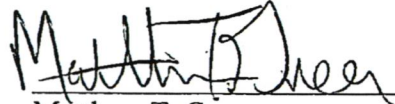
Based on my law enforcement training and experience, traffickers in contraband tobacco products purchase large quantities of cigarettes in source areas for tobacco with low tax rates, such as North Carolina and transport them to high-tax jurisdictions, where they are fraudulently marked and stamped as if they had adhered to the regulatory and tax authorities in those jurisdictions. The cash proceeds from these cigarette sales are then transported across state lines back to the jurisdiction with lower tax rates so that the traffickers can purchase additional quantities of cigarettes, transport them to the high-tax jurisdictions, and thus continue this illicit trafficking venture and the laundering of proceeds thereof.

Federal law defines contraband cigarettes as a quantity in excess of 10,000 cigarettes, which is equivalent to 50 cartons. 18 U.S.C. § 2341. Fifty cartons of cigarettes can be purchased in North Carolina for approximately \$2,800 and sold in higher tax rate jurisdictions such as those typically found in the northeastern United States for a considerable profit. The quantities of cigarettes and amounts of USC that have been interdicted during this investigation all indicate that this organization is trafficking contraband quantities of cigarettes in violation of multiple federal statutes.

Similarly, drug traffickers transport controlled substances northbound and proceeds derived from drug distribution southbound. Previous investigations and seizures of cocaine, methamphetamine, and heroin; indicate that North Carolina, and other areas of the southeastern United States; have become a significant base of operations for high-level Mexican drug trafficking organizations. After arriving in North Carolina from the southwest border area, multiple kilogram quantities of controlled substances are often sent north via the interstate system to New York, New Jersey, and Pennsylvania, and other population centers with high rates of drug abuse. The similarities of the infrastructure, conveyances, distribution networks, and the overall dynamics of drug trafficking and cigarette trafficking activity have resulted in a symbiotic relationship between overlapping criminal organizations, as the contraband cigarette trade has become a convenient vehicle for the laundering of all manner of criminal proceeds, including proceeds derived from the transportation and distribution of controlled substances.

Issam Ali AHMAD's criminal history, travel patterns, and own statements indicate that he is a long-term, recidivist, and high-volume courier for a criminal trafficking organization. As such, the USC located in the vehicle are very likely to be proceeds from trafficking in contraband cigarettes and/or controlled substances, and is, therefore, subject to forfeiture to the United States pursuant to Title 18, U.S.C. section 981(a)(1)(C) and/or Title 21, U.S.C. section 881.

I declare under penalty of perjury that the foregoing is true and correct. Respectfully submitted this 24th day of April, 2023.

A handwritten signature in black ink, appearing to read "Matthew T. Greer", written over a horizontal line.

Matthew T. Greer
Special Agent
U.S. Drug Enforcement Administration